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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/767,327	01/23/2001	Shunichi Shibata	FUJI 18.247	9381

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KATTEN MUCHIN ZAVIS ROSENMAN
575 MADISON AVENUE
NEW YORK, NY 10022-2585

EXAMINER

NGUYEN, HANH N

ART UNIT PAPER NUMBER

2662

DATE MAILED: 06/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/767,327

Applicant(s)

SHIBATA ET AL.

Examiner

Hanh Nguyen

Art Unit

2662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Application filed on 1/23/01.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3-5 is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☒ Claim(s) 6 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Drawings

Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Objections

Claim 6 is objected to because of the following informalities: according to the specification, Fig.4, page 12, lines 21-35, "line-selecting data table including **a chain of idle trunks**..... corresponding to a trunk group number selected from the number-analysis table". Appropriate correction is required.

Examiner reserves the right not to examine claim 6 until it is corrected.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1 is rejected under 35 USC 103(a) as being unpatentable over **Rothenhofer et al.** (US Pat. No. 6,687,258 B1) in view of **Hauris et al.** (US Pat. No.5,892,772).

In claim 1, **Rothenhofer et al.** discloses, in Fig.1. a switch 10 recognizes a connection setup transmitted from subscribers 12, 13 via concentrators 55, 55' to ISP1 (analyzing calls received by a switch through line concentrators). See col.4, lines 30-35&col.5, lines 5-12. The switch 10 does not route channel of terminal 12 to the ISP 1 as usual, but switches channels onto the concentrator 55. Concentrator 55 now combines all packets transmitted from terminal 12. **Rothenhofer et al.** does not disclose connecting from one concentrator to another via lines. **Hauris et al.** discloses a conference 12 wherein stations A, B, C are connected via concentrators 18, 20, 26 and 32 (see Fig.1). Therefore, it would have been obvious to one ordinary skill in the art to apply the **Hauris et al.** into the **Rothenhofer et al.** in order to accommodate a plurality of lines into concentrators and cascading concentrators without using switches.

Claim 2 is rejected under 35 USC 103(a) as being unpatentable over **Rothenhofer et al.** (US Pat. No. 6,687,258 B1) in view of **Hauris et al.** (US Pat. No.5,892,772), and further in view of **Hadi Salim et al.** (US pat. No. 6,625,118 B1).

In claim 2, the combination of **Hauris et al. with Rothenhofer et al.** as described in claim 1 discloses line concentrator is connected to other line concentrators without connecting through switch. **Rothenhofer et al.** does not disclose checking a condition of communication path and transmitting an overcrowding signal from line concentrator to switching unit. **Hadi Salim et al.** discloses a receiver that checks packet for a congestion indication (checking status path), sends a flow control parameter to a source to control the flow of packet from the source (sending overcrowding signal to the source). See Abstract. Therefore, it would have been obvious to one ordinary skill in the art to combine **Hadi Salim et al.** with the **Rothenhofer et al.** in

order to prevent packet congestion when there are a plurality of subscribers trying to access for Internet.

Allowable Subject Matter

Claims 3-5 are allowed. The following is an examiner's statement of reasons for allowance:

In claim 3, the prior art does not disclose a line selecting unit that selects lines that are accommodated by said line concentrator and are connected to other line concentrators,

Wherein said line selecting unit selects the lines and directs said line connecting unit to connect said lines together when said number-analyzing unit determines that said dialed number is used for connecting said line concentrator to the other line concentrators, thereby connecting said line concentrator to the other line concentrators.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Yamada (US Pat. No. 6,674,715 B1) discloses Switching of Redundant Communication Channels in ATM Switching System.

Takase et al. (US pat. No. 5,023,604) discloses Communication System.


Okabe et al. (US pat. No. 6,031,838) discloses ATM switching System.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh Nguyen whose telephone number is 703 306-5445. The examiner can normally be reached on Monday-Friday from 8AM to 5PM. The examiner can also be reached on alternate

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou, can be reached on 703 306-4744. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hanh Nguyen



May 29, 2004